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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,237	04/17/2004	Daniel R. Burnett	12637-007-999	9644
20583	7550	10/25/2010	EXAMINER	
JONES DAY			WIEST, PHILIP R	
222 EAST 41ST ST			ART UNIT	
NEW YORK, NY 10017			PAPER NUMBER	
			3761	
			MAIL DATE	
			DELIVERY MODE	
			10/25/2010	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No.**Applicant(s)**

10/826,237

BURNETT, DANIEL R.

Response to Rule 312 Communication**Examiner****Art Unit**

Philip R. Wiest

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 18 October 2010 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The amendment filed 10/18/10 substantially changes the scope of the claims because it removes the limitation that the pump is implanted in the peritoneal cavity.

/Leslie Deak/
Primary Examiner, AU 3761

/Philip R Wiest/
Examiner, Art Unit 3761